

In re Saavedra et al.  
Serial No. 08/837,812

X[N(O)NO] and [N(O)NO]X, wherein X is a nucleophilic or electrophilic organic residue covalently bonded to said  $N_2O_2^-$  functional group, and wherein the  $N_2O_2^-$  functional group is covalently bound to said biopolymer at one or more of said amino group or said carboxyl group in an amount sufficient to release a therapeutically effective amount of nitric oxide.

#### REMARKS

Applicants wish to thank the Examiner for the courtesy of the telephonic interview of August 18, 2000. Applicants submit that the claims as amended are patentable over the art and therefore that they are allowable. (A copy of the claims now pending in the subject application is attached for the Examiner's convenience.)

Applicants also submit herewith the publication dates for the Saavedra et al. and Hrabie et al. articles referred to in the Declaration of Joseph A. Hrabie on March 31, 1999, as follows:

Saavedra JE, Booth MN, Hrabie JA, Davies KM, Keefer LK,  
"Piperazine As A Linker For Incorporating The Nitric Oxide-Releasing  
Diazoniumdiolate Group Into Other Biomedically Relevant Functional  
Molecules," **J. Organic Chem.**, 64 (14), 5124-5131 (July 9, 1999).

Hrabie JA, Saavedra JE, Roller PP, Southan GJ, Keefer LK,  
"Conversion Of Proteins To Diazoniumdiolate-Based Nitric Oxide  
Donors," **Bioconjugate Chem.**, 10 (5), 838-842 (Sept-Oct 1999).

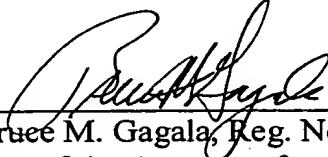
Neither article is prior art to the claimed invention. However, a PTO-1449 form listing all three articles referred to in the Hrabie Declaration is submitted for the convenience of the Examiner as requested by the Examiner. Applicants have not submitted any fees that would otherwise be required under 37 C.F.R. §1.17(i) because applicants do not believe the payment of a fee is required since the articles referred to in PTO Form 1449 are not prior art.

Accordingly, the application is considered in good and proper form for Allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion

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of the Examiner, a telephone conference would expedite the prosecution of the subject application, please call the undersigned attorney.

Respectfully submitted,



BMG/mjc  
Enclosure

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Date: August 23, 2000

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CERTIFICATE OF MAILING

I hereby certify that this AMENDMENT (along with any documents referred to as being attached or enclosed) is being sent by facsimile transmission to the Examiner and is also being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner For Patents, Washington, D.C. 20231.

Date: August 23, 2000  \_\_\_\_\_